

**UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Richard C. Gunderson Confirmation No.: 1209  
Serial No.: 10/749,499 Examiner: Theodore J. Stigell  
Filing Date: December 29, 2003 Group Art Unit: 3763  
Docket No.: 1001.1733101 Customer No.: 28075  
For: MEDICAL DEVICE WITH MODIFIED MARKER BAND

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AFTER FINAL****CERTIFICATE FOR ELECTRONIC TRANSMISSION:**

The undersigned hereby certifies that this paper or papers, as described herein, are being electronically transmitted to the U.S. Patent and Trademark Office on this 31<sup>st</sup> day of December 2008.

By \_\_\_\_\_

  
JoAnn Lindman

Dear Sir:

This paper is in response to the Final Office Action mailed November 21, 2008, with a shortened statutory period set to expire on February 21, 2009.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 50-0413.

Please consider the following amendments and/or remarks:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.